

Water User's Meeting
Nine Mile Distribution System
February 3, 1972

The annual meeting of the Nine Mile Water User's Distribution System was convened in the Harding School, Price, Utah at 11:15 a.m. on February 3, 1972. Water users in attendance at this meeting were as follows:

Donald C. Norseth - Distribution Engineer, Division of Water Rights
Albert Thayn - Water User
Henry Mills - Water User
Jerry Burdick - Water User
Frank Albertson - Water User & Commissioner
H. J. Wimmer - Water User
N. L. Wimmer - Water User
Sharp Bryner - Water User
Lyle Bryner - Water User
Bryce Bryner - Duane Frandsen representing Mel & Amber Keel
Mrs. Louis Motte - Water User
Mel Keel - Water User
Amber Keel - Water User
John Bene - Deputy State Engineer
Kenward H. McKinney - Area Engineer, Division of Water Rights
LaMond Gardner - Assistant Engineer, Division of Water Rights

The Deputy State Engineer, John Bene chaired the meeting. Mr. Bene opened the meeting with introductory remarks concerning the distribution system. He indicated that Howard Price of the Preston Nutter Corporation, one of the system water users, had been in the Capitol office and discussed certain matters concerning the system with Mr. Bene. Mr. Price indicated that he was doing this since, because of a conflicting appointment, he would be unable to attend the annual meeting. Mr. Price indicated that it was his feeling, as a representative of the Preston Nutter Corporation, that everyone who used water during the season should be assessed for a portion of the cost of operating the system. He indicated that, except for this one item, the Preston Nutter Corp. was generally satisfied with the method of operation of the system during 1971. Mr. Bene then asked if anyone took water who had not paid an assessment. Mr. Jerry Burdick indicated he had used some early high water but had not been assessed.

Donald C. Norseth then read the minutes of the previous meeting held in February 1971. After the reading of the minutes Lyle Bryner moved and Jack Wimmer seconded the acceptance of the minutes as read. Voting was unanimous for acceptance.

Mel Keel questioned distribution procedures. Mr. Bene replied to the questions of Mr. Keel.

The financial statement was then read and presented to the water users. Following the presentation of the financial statement it was moved by Albert Thayne and seconded by Henry Mills, to accept the financial statement as read. Voting for acceptance was unanimous.

Mr. Bene then commented upon the impracticality of having the Nine Mile River Commissioner come from Price, when competent local people were available to do the work.

Frank Albertson, the River Commissioner then presented the report of his activities as river commissioner during the 1971 irrigation season. He indicated he had driven 218 miles, worked 23½ hours and expended over \$10.00 on the report. Jack Wimmer, Nev Wimmer, Mrs. Motte and other water users were called upon for comments. All agreed that the commissioner had done a good job but that the year was a bad one for water.

Mr. Bryce Bryner, an associate of Mr. Duane Frandsen who represents Mr. and Mrs. Keel, read a letter from Mr. Frandsen to the Division of Water Rights Area Engineer in which it was indicated that Mr. and Mrs. Keel object "to the present method of allowing and distributing the water." It was indicated that Mr. and Mrs. Keel do not recognize the Minnie Maude Irrigation Company and desire their water to be delivered on the basis of Diligence Claims which Mrs. Keel has filed. It was also indicated in the letter that Mrs. Keel requested "that the present distribution and the assessments be made on the acreage basis and not on the shares in the irrigation company." Mr. Bene indicated that this matter would be referred to the Assistant Attorney General for Water for handling and reply.

The matter of the River Commissioner for 1972 was then discussed. Jack Wimmer nominated Frank Albertson for River Commissioner for 1972 and the nomination was seconded by Sharp Bryner. The assembled water users unanimously accepted Mr. Albertson as their River Commissioner for 1972.

Compensation of Mr. Albertson for 1971 was then considered. He indicated the amount of \$125.00 would cover his compensation for 1971. Lyle Bryner moved and Henry Mills seconded that the River Commissioner be paid \$125.00 for his services in 1971. The vote on the motion was unanimous for passage.

The assessment and budget for 1972 were then discussed. Lyle Bryner moved that any water user on the system who so desired, be

allowed to accompany the River Commissioner for one trip and that for that one trip the water user be paid the amount that the River Commissioner received for that trip. The motion died for lack of a second. It was noted however that any water user was welcome to accompany the River Commissioner on any of his trips as commissioner. It was requested that any water user who wanted to make a trip with the commissioner make arrangements for such trip in advance. Henry Mills moved and Nev Wimmer seconded that the Assessment be the same as last year and that the Budget be the same, except that the mileage allowance be raised to 15¢/mile and other items of the budget be adjusted accordingly in order to keep the total budgeted the same as last year. The motion carried unanimously.

Lyle Bryner reported on Indian Canyon SnowCourse measurements in particular and other snow courses generally. He indicated that the Indian Canyon Snow Course had a water content 195% above the average.

It was moved by Sharp Bryner, seconded by Nev Wimmer and voted upon unanimously to adjourn.